

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BRIGHOUSE LIFE INSURANCE COMPANY,

Plaintiff,

Case No.: 1:23-cv-08570-DEH

v.

SPIN CAPITAL, LLC;  
GOLDEN FOOTHILL INSURANCE SERVICES, LLC;  
LIFE FACTOR II, LLC;  
LIFE SHARES II, LLC;  
EL DORADO HILLS INSURANCE SOLUTIONS, INC.;  
LONE WOLF INSURANCE SERVICES, INC.;  
ELDO INVESTMENTS, LLC;  
THE GENESIS LS FUND, LLC;  
KTL HOLDINGS, INC.;  
DRVN HOLDINGS, LLC;  
LIFE SHARES 1019, LLC;  
STEFAN LEER;  
TATANISHA LEER;  
CAP FACTOR, LLC;  
MICHAEL TRUSNER;  
DAVA TRUSNER; and  
FRED STEVENS, AS  
COURT-APPOINTED TEMPORARY RECEIVER,

Defendants.

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**NOTICE OF PLAINTIFF’S MOTION FOR DISCHARGE, DISMISSAL  
AND OTHER RELIEF IN INTERPLEADER, INCLUDING ATTORNEYS’ FEES**

PLEASE TAKE NOTICE THAT, upon the accompanying Memorandum of Law in Support of Plaintiff’s Motion for Discharge, Dismissal and Other Relief in Interpleader, Including Attorneys’ Fees; the declarations of Michelle J. d’Arcambal, Tiffany C. Millioen, Emilia A. Quesada and Ronald K. Alberts and the exhibits annexed thereto; and all other papers and proceedings herein, Plaintiff Brighthouse Life Insurance Company (“Brighthouse”), by and

through its attorneys, hereby respectfully moves this Court, before the Honorable Dale E. Ho, United States District Judge, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, for entry of an Order, pursuant to 28 U.S.C. §§ 1335 and 2361: (1) discharging Brighthouse from all liability under the life insurance policy at issue; (2) permanently enjoining Defendants Spin Capital, LLC, the Leer Parties,<sup>1</sup> Life Shares 1019, LLC, Cap Factor, LLC, and Fred Stevens, as Court-Appointed Temporary Receiver, and the Proposed Intervenor<sup>2</sup> (the Proposed Intervenor and Defendants together, the “Claimants”) from commencing any other actions or proceedings seeking payment of the remaining life insurance death benefits or otherwise in connection with the life insurance policy at issue; (3) dismissing Brighthouse from this action with prejudice; (4) awarding Brighthouse its attorneys’ fees and costs; (5) imposing sanctions upon the Claimants; and (6) granting such other and further relief as the Court deems just and proper.

The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: New York, New York  
March 15, 2024

Respectfully submitted,

**D’ARCAMBAL, OUSLEY &  
CUYLER BURK LLP**

/s/ Michelle J. d’Arcambal  
Michelle J. d’Arcambal, Esq.  
40 Fulton Street, Suite 1501  
New York, NY 10038

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<sup>1</sup> The “Leer Parties” include Defendants Stefan Leer, Tatanisha Leer, and various entities of which Stefan Leer is a principal: Golden Foothill Insurance Services, LLC; Life Factor II LLC; Life Shares II, LLC; El Dorado Hills Insurance Solutions, Inc.; Lone Wolf Insurance Services, Inc.; ELDO Investments, LLC; The Genesis LS Fund, LLC; KTL Holdings, Inc.; and DRVN Holdings, LLC.

<sup>2</sup> The Proposed Intervenor consist of members of the Life Shares 1019, LLC investor group, including Stephen Marik Brockman, Aaron Davison, Neilesh Desai, Jennifer Pursley, Michael Schwartz, Sheila Schwartz, The Charissa & Toney Trust, The Charissa Toney Living Trust, Matthew Troy and American River Ag, Inc.

(212) 971-3175

(212) 971-3176 (fax)

mdarcambal@darcambal.com

*Attorneys for Plaintiff*

*Brighthouse Insurance Company of America*

**CERTIFICATE OF SERVICE**

I, Michelle J. d'Arcambal, an attorney duly admitted to practice law in the Courts of the State of New York, hereby certify that on March 15, 2024, I electronically filed a copy of the foregoing *Motion for Discharge, Dismissal and Other Relief in Interpleader, Including Attorneys' Fees* with the Clerk of the Court by using the CM/ECF system which will send a notice of the electronic filing to all parties of record.

I further certify that I caused a true and correct copy of the foregoing document and notice of electronic filing via email and first-class mail upon the following non-CM/ECF party defendant(s):

Daniel Pohlman, Esq.  
Pryor Cashman LLP  
*Attorney for Defendant Cap Factor, LLC*  
7 Times Square, 40th Floor  
New York, NY 10036  
Tel: (212) 326-0823  
Email: [dpohlman@pryorcashman.com](mailto:dpohlman@pryorcashman.com)

/s/ Michelle J. d'Arcambal  
Michelle J. d'Arcambal